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August 9, 2023

Via ECF

Honorable Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: Johnson v. Esports Entertainment Group – Civil Case 1:22-cv-10861
Letter requesting leave to file under seal because of opposing party's
confidentiality designation.

Dear Judge Gardephe:

I represent Plaintiff Grant Johnson, and I write to request leave to file under seal with respect to Plaintiff's letter requesting a pre-motion conference for a partial motion for summary judgment. Plaintiff's only reason for filing these documents under seal is that Defendant designated them confidential. In that regard, pursuant to section II(B) of Your Honor's individual practices for civil cases, I have notified opposing counsel of the need to file a letter within three days explaining the need to seal the documents. The documents at issue are:

Exhibit A, excerpts of the deposition of Michael Villani, Defendant's 30(b)(6) representative.

Exhibit D, exchange of e-mails ending 12-30-21.

In addition, because the pre-motion letter itself quotes the Villani deposition, a redacted version of the letter has been filed publicly, and an unredacted version has been filed under seal. If the Court agrees with Defendant's reasons for sealing these documents, then the Court should grant this request and allow the documents to be filed under seal. If the Court disagrees with Defendant's reasons, then the Court should deny this request and direct Plaintiff to file the documents publicly.

Respectfully,

/s/ Alan L. Frank
Alan L. Frank